

COUNTY OF LOS ANGELES  
DEPARTMENT OF PARKS AND RECREATION



Tim Gallagher, Director

March 16, 2004

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ACCEPTANCE OF A CONSTRUCTION CONTRACT  
FOR COURTYARD EXPANSION AND GENERAL IMPROVEMENTS PROJECT  
AT PATHFINDER COMMUNITY REGIONAL PARK  
C.P. NO. 68802, SPEC. NO. 01-0030  
(Fourth District - 3- Vote Matter)**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATION OFFICER THAT  
YOUR BOARD:**

1. Accept all work of the contractor, PIMA Corporation (PIMA), which has completed the improvements included in the Pathfinder Community Regional Park Courtyard Expansion and General Improvements Project, at a total construction cost of \$497,740, including \$45,209 in Change Orders.
2. Authorize the Director of the Department of Parks and Recreation (DPR) to release the total retention amount of \$45,253 to PIMA.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The recommended action will accept the completed construction of the Pathfinder Community Regional Park Courtyard Expansion and General Improvements Project and authorize the release of retention of \$45,253 to PIMA. On August 20, 2002, your Board awarded a construction contract to PIMA. The project consisted of the expansion of the existing courtyard with a group shade structure with decorative fence enclosure.

one rolling gate, four swing gates, planter/seat walls, safety/decorative lighting, enriched hardscape paving, group barbecue with a food preparation area, bench-style seating and two drinking fountains; construction of a new walkway; and relocating existing light poles.

Additional change order work performed as part of this project consisted of re-routing of a section of the irrigation mainline, providing for compaction testing, changing the food preparation counter design for a more secure counter, substituting a wall-hung drinking fountain with a pedestal drinking fountain to fit the location, providing a vent for Americans with Disabilities Act (ADA) drinking fountain per Health and Safety Code, removing a storm drain point of connection to allow proper drainage per the Civil Engineer's drawing, removing and replacing 235 square feet of concrete paving to align score lines and patterns between old and new work, removing and replacing 36 square feet of concrete paving to address the problem of a raised section of paving interfering with the installation of the new sliding gate, and providing and installing a bronze dedication plaque.

The construction was completed in September 2003.

The DPR employed at-risk youth at the project to provide demolition of existing concrete walkways and picnic table pads and provided labor for the planting of new landscape at a total cost of \$33,125.

On March 26, 2002, five (5) bids were received. BobCo Metals (BCM) was the lowest responsive bidder meeting the criteria adopted by your Board; however, on June 13, 2002, BCM unilaterally withdrew its bid. As a result of BCM's withdrawal, the DPR recommended award of the construction contract to PIMA who was the second lowest responsive bidder. This action was approved by your Board on August 20, 2002. Additionally, your Board authorized DPR to pursue the forfeiture of BCM's bid bond in the amount of \$9,488 which is the difference between the bid amounts of BCM, and the second low bidder, PIMA. DPR, working with County Counsel, was successful in obtaining a check from BCM for \$9,488. These funds will be used on the project to offset costs related to County services.

This project is one of more than 200 capital improvement projects that the Department is undertaking as a result of the voter's approval of the Safe Neighborhood Parks Propositions of 1992 and 1996.

#### **Implementation of Strategic Plan Goals**

The acceptance of this completed capital project enhances Fiscal Responsibility (goal number four of the County's Strategic Plan) by investing in the public infrastructure and promotes Service Excellence (goal number one) for park patrons through the expansion of recreational programming and special event opportunities.

## **FISCAL IMPACT/FINANCING**

### **Project Budget Impact**

The final construction cost for the project was \$497,740 including the original construction contract amount of \$452,531 and \$45,209 in change orders. The total project cost was \$729,036, including plans and specifications, consultant services, plan review and inspection services, County services, and at-risk youth work. On August 20, 2002, the project budget of \$719,548 was approved by your Board. In addition, appropriation and revenue was added to the project budget in the 2003-04 Adopted Budget to account for the \$9,488 payment received from BCM. The cost of County services has increased by \$52,607 due primarily to two factors. First, the project was put out to bid the first time only to discover significant flaws in the original plans, causing DPR to pull the bid and correct the plans prior to a second bid. Second, DPR incurred costs in recovering the \$9,488 payment from BCM. (See Attachment A)

The project was financed as follows:

- Safe Neighborhood Parks Proposition of 1992, under Section (8), Subsection (a), Paragraph (2), Subparagraph (B) in the amount of \$140,223.
- Safe Neighborhood Parks Proposition of 1996, under Section (3), Subsection (a), Paragraph (2), Senior Citizens Facilities Competitive Grant Program in the amount of \$96,790.
- Park-In-Lieu fees (Quimby Planning Area 10) in the amount of \$482,535.
- Payment of \$9,488 received from BCM.

### **Operating Budget Impact**

As a result of the completion of these improvements, DPR did not incur any one-time startup costs. However, DPR anticipates increases in ongoing annual operational and utility costs of \$2,900. Funding for these costs are appropriated in DPR's 2003-04 Adopted Budget.

## **FACTS AND PROVISIONS / LEGAL REQUIREMENTS**

The project was substantially completed on September 25, 2003, and DPR took beneficial occupancy of all improvements on that same date.

Acceptance by your Board can be recommended at this time as the contractor submitted the record drawings on September 25, 2003, submitted the Certificate of Compliance on September 25, 2003, and completed remaining punch list work on January 13, 2004 as required by the construction contract agreement (see Attachment B).

### ENVIRONMENTAL DOCUMENTATION

On September 4, 2001, your Board found the project to be categorically exempt from the California Environmental Quality Act (CEQA).

### CONTRACTING PROCESS

The DPR had originally anticipated recommending the award of the construction contract to BCM, the lowest responsive bidder prior to the close of fiscal year 2001-02; however, BCM unilaterally withdrew its bid. On August 20, 2002, your Board awarded a construction contract to PIMA Corporation for \$452,531 and authorized the Director of DPR to approve change orders up to a maximum amount of \$45,253, for a total authorized amount of \$497,784.

In accordance with your Board's request of February 3, 1998, the Notice Inviting Construction Bids was posted on the County's Office of Small Business web site on February 19, 2002.


### IMPACT ON CURRENT SERVICES (OR PROJECTS)

The expansion of the existing courtyard with a group shade structure has provided a large ADA-compliant, multipurpose activity facility for community residents.

### CONCLUSION

Please instruct the Executive Officer-Clerk of the Board to forward the original and five (5) conformed copies of this letter to the Department of Parks and Recreation and one conformed copy to the Chief Administrative Office, Capital Projects Division for distribution.

Respectfully submitted,

  
for Tim Gallagher  
Director, DPR

David E. Janssen  
Chief Administrative Officer

Attachments (2)

c: Executive Officer (22)

# ATTACHMENT A

## ACCEPTANCE OF A CONSTRUCTION CONTRACT FOR COURTYARD EXPANSION AND GENERAL IMPROVEMENTS PROJECT AT PATHFINDER COMMUNITY REGIONAL PARK C.P. NO. 68802, SPEC. NO. 01-0030 (Fourth District - 3- Vote Matter)

### PROJECT SCHEDULE

Project Activity	Scheduled Completion Date	Revised Completion Date	Date Completed
1. Land Acquisition	N/A		N/A
2. Negative Declaration	N/A		N/A
3. Program	N/A		
4. Schematic Design	02-15-00		02-25-00
5. Design Development	05-12-00		
6. Construction Documents	06-29-01		
7. Jurisdictional Approval	N/A		
8. Construction Contract Award	11-13-01	09-20-02	
9. Construction Start	12-10-01	09-09-02	
10. Beneficial Occupancy	09-30-02		
11. Final Acceptance	10-04-02		

### II PROJECT COST SUMMARY

Cost Category	Estimated Project Cost	Impact of Proposed Action	Revised Project Cost
1. Land Acquisition	N/A	N/A	N/A
2. Plans and Specifications	\$56,875		\$56,875
3. Plan Review	\$7,107	0	\$7,107
4. Make-Ready Activities	N/A	N/A	N/A
5. Construction	\$452,531		\$452,531
6. Change Orders	\$45,253	(\$44)	\$45,209
7. Equipment	N/A	N/A	N/A
8. Consultant Services	\$40,000	(\$19,932)	\$20,068
9. County Services	\$61,514	\$52,607	\$114,121
10. Other (At-risk Youth)	\$48,331	(\$15,206)	\$33,125
11. Unforeseen Site Conditions	\$7,937	(\$7,937)	\$0
<b>TOTAL</b>	<b>\$719,548</b>	<b>\$9,488</b>	<b>\$729,036</b>

**Pima Corporation****License No. 698859**

2001 S. Barrington Ave. Suite 204  
Los Angeles, CA 90025  
Tel: 310-231-7060 Fax: 310-231-0234

**GUARANTEE FOR**

**Pathfinder Community Regional Park**  
**C.P. No. 68802 Specs. No. 01-0030**

We hereby guarantee that the Courtyard Expansion and General Improvements Project Work performed for the construction of Pathfinder Community Regional Park located at 1815 Pathfinder Road, Rowland Heights, California has been performed in accordance with the Drawings and Specifications and that the Work as installed will fulfill the requirements of the Guarantee included in the Specifications. We agree to repair or replace any or replace any or all of our Work, together with any adjacent Work which may be displaced by so doing, that may prove to be defective in its workmanship or materials within a period of One Year from the date of acceptance of the above named project by the Owner, Los Angeles County Department of Park and Recreation.

In the event of our failure to comply with the above mentioned conditions within thirty (30) days after being notified in writing by the Owner, we collectively or separately do hereby authorize the Owner to proceed to have said defects repaired and made good at our expense, and we will honor and pay the costs and charges therefrom upon demand.

Signed: 

Date: September 25, 2003

Name: Bijan Pirouz

Title: President

Local representative to be contacted for services:

Name: ken Taghizadeh Phone No. 310-420-5320  
Address: 2001 S. Barrington Ave. Suite No. 204  
Los Angeles, CA 90025